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# MATTERS OF INTELLIGENCE

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**M**any Americans predicate their knowledge of how government works on notions taught in civics classes. Congress legislates, presidents approve or veto legislation, courts mediate legal questions, and federal agencies act in the spirit of the law as interpreted by agency regulations. Few citizens are aware of that awesome public policy tool of the presidency, the executive order, through which many issues of the day are decided.

Executive orders have been used by US presidents for a myriad of purposes: to delegate authority to the administrators of war agencies during World War I, to confine Japanese-Americans to detention camps during World War II, to expedite the growth of government agencies in the New Deal years, and to quicken the pace of civil rights reforms from the 1950s through the present.

Since the administration of Gerald Ford, executive orders have also regulated the American intelligence community. In 1976 Ford, spurred by public concern and a flurry of critical Congressional hearings, signed executive order 11905, which defined guidelines and oversight channels for the activities of the intelligence community. Executive order 12036, signed by Jimmy Carter in 1978, reshaped the intelligence structure and provided explicit guid-

ance on all facets of intelligence operations.

The 1970s were turbulent years for the intelligence community; criticism of the various agencies abounded. Covert operations within the US and abroad were portrayed by the media as unnecessarily and dangerously meddlesome. Voters, scandalized by Watergate and unsure of the propriety of US involvement in Vietnam, were seen as unwilling to continue their blanket trust in the country's intelligence community.

Slowly the files of the government were opened and access to intelligence and other government activities increased. Congress reaffirmed its conviction that the government should be opened to citizens by strengthening the Freedom of Information Act, originally passed in 1966, and by lobbying then-President Nixon to issue executive order

11652, which narrowed the scope of material the government could classify. Nixon's order provided a comprehensive system for reviewing the status of classified information, instituted a system for downgrading and automatically declassifying information, established sanctions against overclassification, and reduced the number of agencies, departments, and personnel with classification authority. All aspects of government, including members of the intelligence community, were deeply affected by these changes.

**A**s the nation entered the 1980s, there was a palpable shift in the political climate. The election of Ronald Reagan, whose campaign promises included a commitment to rebuild the nation's security and defense capabilities, was the most apparent symbol of these changing times.

The strong evidence is that clearly established legal, administrative, and organizational lines of authority insure legitimacy, public approval, and effective operation of essential intelligence tasks.

—Edward P. Boland, Chairman, House Permanent Select Committee on Intelligence  
*Congressional Record*, January 5, 1981